1	BARRY J. PORTMAN Federal Public Defender ELIZABETH M. FALK Assistant Federal Public Defender 450 Golden Gate Avenue San Francisco, CA 94102 Telephone: (415) 436-7700		
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5	Counsel for Defendant BANKS		
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8	IN THE UNITED STATES DISTRICT COURT		
9	FOR THE NORTHERN DISTRICT OF CALIFORNIA		
10	UNITED STATES OF AMERICA,) No. CR-05-126 CRB		
11	Plaintiff,		STIPULATION AND PROPOSED
12	v	, ,	ORDER CONTINUING SENTENCING
13)		
14	EDSEL BANKS,) Defendant.		Date: October 12, 2005 Time: 2:15 p.m. Court: Honorable Charles R. Breyer
15	-	Defendant.)	Court. Honorable Charles R. Breyer
16			
17	The undersigned parties stipulate as follows:		
18	1.	Sentencing on this matter has been previous	sly set by this honorable Court for
19	October 12, 2005.		
20	2. Due to the defendant's foot injury and surgery, the defense requests a continuance of		
21	the sentencing until November 16, 2005 at 2:15 p.m		
22	3. Assistant United States Attorney Monica Fernandez has been contacted by defense		
23	counsel, and has no objection to continuing the sentencing to November 16, 2005.		
24			
25	//		
26			
	STIPULATION CONTINUING SENTENCING No. CR-05-00126 CRB		

4. United States Probation Officer, Lynne Richards has been contacted by defense 1 counsel, and has no objection to continuing the sentencing to November 16, 2005. 2 3 IT IS SO STIPULATED 4 5 Date: 10/11/2005 ELIZABETH M. FALK Assistant Federal Public Defender 6 7 Date: 10/11/2005 8 MONICA FERNANDEZ **Assistant United States Attorney** 9 10 I hereby attest that I have on file all holograph signatures for any signatures indicated by a 11 12 "conformed" signature (/S/) within this e-filed document. 13 **ORDER** 14 15 GOOD CAUSE SHOWN, it is hereby ORDERED that the sentencing hearing, previously set by this Court for October 12th, shall be continued to November 16, 2005, at 2:15 PM 16 17 October 11, 2005 Date: 18 THE HONORABI UNITED STATES P 19 20 21 Judge Charles R. Breyer 22 23 24 25 26 STIPULATION CONTINUING SENTENCING

No. CR-05-00126 CRB